

Remarks/Arguments:

This is a reply to the office action of April 9, 2003, in which the examiner rejected the original independent claims (1 and 10) as being obvious over Herring (Patent 6064992) in view of DirecTV.

The claimed invention requires the provision of an accumulated pending value of postage dispensed in applying postage charges to mail items of any uncompleted batches of mail items, and that accumulated pending value to be decremented by a value of postage relating to one completed batch of mail items on completion of that one batch of mail items.

The Examiner has cited Herring as disclosing an accounting method and apparatus which provides for the storing of an accumulated aggregate value of postage dispensed in applying postage charges to mail items, but has acknowledged that Herring fails to disclose or suggest the provision of an accumulated pending value as required by the claims.

In this regard, the Examiner has cited DirecTV as disclosing a subscription satellite TV service in which programming purchase information is downloaded nightly from the satellite receiver of each subscriber.

As regards the citation of DirecTV, it is respectfully submitted that the field of subscription RV services is entirely unrelated to the postage metering field, and, based on the teaching of Herring, which makes no mention of the processing of batches of mail items, a person skilled in the art could not have had any possible motivation to

contemplate the teaching of DirecTV.

It is not seen how the referenced teaching of DirecTV, in providing for the nightly downloading of purchased programming, has any relevance to the claimed invention.

In DirecTV, the downloaded information does not represent a batch of items, at least insofar as the claimed invention specifically requires the accumulated pending value to be in respect of uncompleted batches. The programming purchase information downloaded nightly in the TV system of DirecTV can in no sense be considered an uncompleted batch. Rather, each downloaded entry represents purchased, and hence, completed, programming. As the subscriber is to be billed on the basis of the programming purchase information, the programming purchase information has manifestly to relate to purchased programming.

In marked contrast to the claimed invention, which requires the storing of an accumulated pending value in respect of any uncompleted batches and the decrementing of that value only on the completion of any batch, thus retaining an accumulated pending value in respect of any uncompleted batches, the system of DirecTV provides for the downloading of all programming purchase information, and makes no distinction between the entries in the downloaded information as being uncompleted or completed. As already mentioned, this programming purchase information relates to purchased programming, and thus there can be no distinction between completed and uncompleted programming.

As such, it is submitted that the invention is clearly distinguished by claims 14 and 23 over the disclosures of Herring and DirecTV when taken in combination. The

remaining claims are deemed allowable for the limitations they inherit from the independent claims, in combination with the additional limitations each recites.

A petition for an extension of time accompanies this amendment.

Respectfully,

A handwritten signature in cursive script, reading "Charles W. Fallow", with a long, sweeping flourish extending upwards and to the right.

Charles W. Fallow
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